



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

December 12, 2022

BY ECF

The Honorable Loretta A. Preska
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Nicholas Micena*, 11 Cr. 499 (LAP)

Dear Judge Preska:

The Government writes regarding the upcoming status conference concerning defendant Nicholas Micena's alleged violations of the conditions of his supervised release, currently scheduled for December 14, 2022 at 3 p.m.

On March 15, 2021, the Court issued a warrant for Micena's arrest for noncompliance with supervised release conditions. Micena was arrested on October 20, 2022 and presented the following day before Magistrate Judge Sarah Netburn. Micena was released on his own recognizance with instructions that, with assistance from defense counsel, he find placement in an in-patient methadone program.

Your Honor set a status conference date for November 10, 2022, which was adjourned at Probation's request because Mr. Micena was enrolled in a 28-day rehab program operated by Mt. Sinai and scheduled to be discharged on December 1, 2022.

The next status conference is set for December 14, 2022 at 3:00 p.m. The Government understands that on December 1, 2022, Micena was transferred to the Su Casa treatment center for long-term in-patient treatment, and that he is doing well in treatment.

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Accordingly, the parties jointly request that the December 14 status conference be adjourned until March 16, 2023 at 1 p.m., which the Government understands is convenient for the Court.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

SO ORDERED

Loretta A. Preska

LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

12/13/22

By: /s/ William C. Kinder
William C. Kinder
Assistant United States Attorney
(212) 637-2394

cc: Jennifer Brown, Esq., counsel to the defendant (by ECF)